



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2305265
Council File Number: 306391
Applicant Name: Miller/Hull Architecture and Planning for City of Seattle
Address of Proposal: 10548 5th Avenue

SUMMARY OF PROPOSED ACTION

Council Concept Approval to establish use for future construction of a 10,000 square foot public library (Northgate Branch), a 20,000 square foot community center, and 73,000 square foot park (Seattle Parks and Recreation). Surface parking for 66 vehicles to be provided. Project includes future demolition of existing structures and 5476 cubic yards of grading. Seattle Parks and Recreation will act as lead agency for the environmental review (SEPA).

The following recommended approvals are required:

Council Land Use Action –(SMC 23.47.004F) to waive or modify development standards for city facilities;

1. Allowing vehicular access from a major pedestrian street (5th Avenue)
2. Providing no principal pedestrian entrance directly from the sidewalk.

SEPA – For Conditioning Only - (SMC Chapter 25.05)

SEPA DETERMINATION: ☐ Exempt ☒ DNS* ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition
or involving another agency with jurisdiction.

*Determination of Non-significance (DNS) issued by Seattle Department of Parks & Recreation on December 10, 2003.

BACKGROUND DATA

Site and Vicinity Description

The subject site is located along 5th Avenue NE and bordered by NE 105th Street on the south and 5th Avenue NE on the west. The site has an area of 3.55 acres or 154,691 square feet.

The site is developed with two buildings, one housing the temporary public library (a former bank with drive through) and a small recording studio, and the other housing an auto sales and service use (Goodyear). The site is predominately covered with asphalt with the exception of vegetated steep slopes on the east and south edges. Thornton Creek is located southeast of the site and is approximately 130 feet away, at its closest point, from the southeast property corner of the site. The steep slopes are designated as Environmentally Critical Areas (ECA) under SMC 25.09, but no other part of the site is designated as an ECA. An ECA exemption (Project No. 2308067) was granted with respect to an apparent Riparian Corridor near the northeastern edge of the property; this designation was determined to be a mapping error.

The subject site is within the Northgate Overlay District and is zoned Neighborhood Commercial 3 with a 65 foot height limit (NC3-65). All surrounding property is within the Northgate Overlay District. Surrounding property to the east is developed with a residential condominium and is zoned Lowrise 3. Property east of the subject site on the northern edge is developed with a psychiatric hospital (Kindred) and is zoned Neighborhood Commercial 3 with a 40 foot height limit. Property to the north is developed with a medical office building and is zoned the same, NC3-65. Property to the west across 5th Avenue is developed with the Northgate Shopping Mall and is zoned Neighborhood Commercial 3 with an 85 foot height limit. Property to the south across NE 105th Street is developed with a medical office building and is zoned Neighborhood Commercial 3 with a 40 foot height limit.

5th Avenue NE is considered a major pedestrian street and is also a minor arterial. 5th Avenue is fully improved with roadway, curb, gutter and sidewalk, but no street trees or planting strip. NE 105th Street is a non-arterial street improved with a substandard roadway. The roadway for NE 105th Street is partially on the subject property and not fully within the 20 foot public right of way. In light of that, land will be dedicated to the City of Seattle Department of Transportation for street purposes.

Project Description

The Northgate Library, Community Center, and Urban Park is a joint project between Seattle Public Libraries and Seattle Parks and Recreation. The project consists of three major components:

- Northgate Branch Library: a 10,000 square foot branch library and associated landscaping, parking, and utilities. The library will house a public meeting room and collections for children, young adults, and adults, as well as a reference collection, public computer stations, and study rooms. Future expansion of the Library by 5,000 square feet is anticipated on the south side of the structure, but no definitive plans have been considered.

- Northgate Community Center: a 20,000 square foot community center and associated landscaping, parking, and utilities. The center will house a gym, activity rooms, multi-purpose rooms with kitchen, and a childcare facility.
- Northgate Urban Park: a 72,000 square foot park, with programmatic areas for passive recreation, children's play structures, public plazas, and gardens. It will include a multi-purpose recreation area that can be used for the following types of drop-in recreation activities: soccer, flag football, lacrosse, t-ball, community center events such as summer day camp, and special events such as a Saturday Market. Also provided will be a community center play area, a courtyard for the multi purpose room for the community center, and a formal and/or informal plaza/amphitheater for public gathering and celebrations.

The site plan generally consists of five design elements; the library building, the parking lot, the community center/ playground building, the park and the plaza. The proposed vehicular driveway accessed from 5th Avenue will be located near the north property line and will lead into a surface parking lot located in the northeast portion of the site. The parking lot will accommodate 66 vehicles. South of the driveway along the street frontage will be the library building and the park. South of the parking lot on the eastern half of the site will be the playground and the community center building. The plaza will be located in a way to connect the parking lot, library, playground/community center and the park. Pedestrian connections into the plaza will be provided along 5th Avenue in three places; along the driveway on the northern portion of the site; near the middle of the site through the park; and on the southern portion of the site. Another connection to the park via stairs and a park trail is proposed from NE 105th Street.

Seattle Department of Transportation (SDOT) will perform street improvements along 5th Avenue NE in conformance with the 5th Avenue NE Streetscape Design Plan, which include wider sidewalks, improved crosswalks, street medians and street trees. Street improvements along NE 105th Street will also be performed by SDOT, and include widening of the roadway at the intersection with 5th Avenue NE and an asphalt walkway on the north side of the right of way.

The proposed project is considered a city facility and may be approved through a Council Land Use Action when a waiver or modification of development standards is necessary. The following table describes the Code waivers and modifications necessary to approve this project;

Table A		
Development Standard	Required	Provided
SMC 23.71.008B5	A principal pedestrian entrance directly from sidewalk on 5 th Avenue (at sidewalk on west façade) & within 3 ft. of sidewalk grade elevation.	A pedestrian entrance not directly from sidewalk (35 ft. away from sidewalk on north facade) & within 5 ft. of sidewalk grade elevation
SMC 23.71.008D2	Access to parking from NE 105 th Street (not a major pedestrian street)	Access to parking from 5 th Avenue (a major pedestrian street)

Public Comment & Involvement

No comment letters were received during the initial and the revised DPD public comment periods which ended on January 28, 2004.

Both the Department of Parks and Recreation and the Seattle Public Library held numerous public meetings over the past several years to elicit public comment on the siting, programmatic needs and design of the project.

Seattle Design Commission

This proposal is subject to review by the Seattle Design Commission (SDC) because it is a City Facility. The Commission's role is to advise the project designer in an effort to foster well-designed projects that are worthy of civic projects. The SDC reviewed the design on February 6, 2003; February 20, 2003; July 17, 2003; November 6, 2003; and February 19, 2004. The SDC supported the overall development proposal and program. The Commission specifically supports the code waivers and modifications being sought to enable the project. For complete SDC actions and comments, the approved minutes from the meetings are available on the CityDesign website located at <http://www.cityofseattle.net/DPD/citydesign>.

ANALYSIS — COUNCIL LAND USE ACTION

This project is considered a City Facility and consists of a park, community center and library use. The Land Use Code defines community center and library uses as types of institutions. The commercial chapter of the Land Use Code allows the proposed uses and includes provisions for city facilities which prescribes a specific set of approval criteria when a facility does not meet development standards (SMC 23.47.004F). Additionally, the Procedures for Master Use Permits and Council Land Use Decisions (SMC 23.76.064), includes provisions for the City Council to grant concept approval and to waive or modify applicable development standards, accessory use requirements, special use requirements or conditional use criteria for city facilities. SMC 23.76.064 classifies this decision as a legislative action (Type V). The Northgate Overlay District (SMC 23.71) allows the proposed uses, but does not provide any more specific regulations regarding city facilities in addition to the underlying NC3 zone.

General Criteria in SMC 23.47.004F3

In all commercial zones, uses in public facilities not meeting development standards may be permitted by the Council if the following criteria are satisfied:

a. The project provides unique services which are not provided to the community by the private sector, such as police and fire stations; and

This project clearly provides unique services which are not provided to the community by the private sector. Most private parks, community centers and libraries are not accessible to the general public, but are reserved for private members or regulated by admission fees or costs. The proposed public facilities ensure equal opportunity to all unlike the private sector.

b. The proposed location is required to meet specific public service delivery needs; and

Both Parks and the Library coordinated an extensive public process with respect to siting of their facilities starting in the year 2000. The siting process resulted in the current proposal to co-locate the facilities on one site and was approved by City Council on July 29, 2002 (Ordinance 120870).

The Community Center is funded by the 1999 Community Center Levy (Ordinance 119522) which did not specify a specific location but specifies funding for a 20,000 square foot full service Community Center in Northgate. Additionally, Parks and Recreation has identified Northgate as an area deficient in usable open space and breathing room in a report entitled, "An Assessment of Gaps in Seattle's Open Space Network". The report identified the Northgate Urban Center, east of Interstate 5 as being deficient. The siting of the proposed Park and Playground with a Northgate Community Center is a specified objective described in the Seattle Parks Comprehensive Plan. The voters approved the Neighborhood Parks, Green Spaces, Trails, and Zoo Levy (Ordinance 120024) in 2000 to provide funds for, among other things, acquisition of land for a Northgate Park.

The Library is funded by the 1998 Libraries for All bond measure (Ordinance 119019) which did not specify a specific location but provides funding for a 10,000 square foot new library in Northgate.

c. The waiver or modification to the development standards is necessary to meet specific public service delivery needs; and

Principal Entrance

The Northgate Overlay district prescribes that principal entrances must have direct access to the sidewalk and that the elevation of the entrance be within 3 feet of the sidewalk grade elevation (SMC 23.71.008B5). Principal entrance in this case is meant to be a pedestrian entrance rather than vehicular. The general intent of this provision is to create a better atmosphere for the pedestrian and enliven the public realm.

A code complying option would require an entrance on the west façade directly facing the 5th Avenue NE sidewalk and within 3 feet of the sidewalk grade elevation. The library design team

examined this issue and found that the traffic noise, particularly bus engine noise could disrupt the solitude that a library needs if a door were to be provided on the west façade. In light of that, the project acoustical engineer strongly recommended that no doors or operable windows be provided on the west façade facing 5th Avenue NE.

The proposal will provide two pedestrian entrances into the library. One entrance, which could be construed as the principal entrance, will be provided internal to the site from the plaza on the east side of the building. The nucleus of the project is the plaza in that it will connect the parking lot, library, park, playground and community center together. Another entrance to the library directly accessible from 5th Avenue will be provided on the north façade about 35 feet from the edge of the sidewalk. The sidewalk grade elevation at that location is about 285 feet and the finished floor of the library is 280 feet, so the entrance exceeds code by 2 feet in being 5 feet below sidewalk grade.

The perpendicular relationship of the doors enables them to be monitored by library staff in that both entry corridors meet at the librarians' desk. This configuration lessens the long term impacts to the library budget since the same staff can monitor both doors, thus reducing the need for additional staff in the operating budget.

The project does propose an option that meets the intent of the code provision. There will be sidewalk and landscaping elements provided creating a promenade leading patrons to the north entrance and also to the plaza which will be about 70 feet farther along the library façade and around the corner. The promenade element is expected to integrate with the 5th Avenue street improvements so that it will clearly demark the entrance to the library and the Northgate Civic Project. Ideally, the street improvements and project elements will create a pedestrian highway linking the Northgate Mall to the Civic Project. Presently, the design shows two sets of stairs leading to the north entry court. One set of stairs is located along the promenade otherwise described as the sidewalk parallel to the vehicular driveway, and another will be located directly off the 5th Avenue sidewalk.

DPD recommends approving this code modification to allow an entrance not directly from the sidewalk and not within 3 feet of the sidewalk grade elevation on 5th Avenue NE.

Access to Parking

Access to off-street parking is proposed from 5th Avenue N. which is a designated major pedestrian street. The Northgate Overlay district prescribes code standards for major pedestrian streets which cater to the pedestrian versus the auto. In this instance, The Northgate Overlay District requires that vehicular access be from a street other than a major pedestrian street when the site also fronts on other streets (SMC 23.71.008D2). The intent of this provision is to decrease conflicts between pedestrian and vehicle traffic thereby enhancing the pedestrian experience.

The code complying option in this case is to use NE 105th Street for access to parking. The topography of the site includes steep slopes directly abutting NE 105th Street such that there is a grade change of approximately 20 feet from the top of slope to the street edge. Access from NE

105th Street would result in substantial grading, retaining walls and switchbacks. This extensive earthwork would likely obliterate most of the slope and a large portion of the site proposed for the park. Additionally, access from NE 105th Street would violate the Environmentally Critical Areas ordinance in that it would likely result in more disturbance to the steep slope than what is allowed. Disturbance of more than 30% of the steep slope (slopes greater than 40%) is restricted and avoiding disturbance entirely is advised if practicable pursuant to the Environmentally Critical Areas Ordinance (25.09.180A3a).

Granting a code waiver in this case has little to do with the case that this is a city facility in that any private development at this site would require the same relief. The process for this relief is different in that private development would require a variance from this provision which is an administrative action decided by staff. This is clearly an instance when topography makes land use code compliance impractical.

There is a conflict between the Land Use Code and the Environmentally Critical Areas codes, and DPD recommends approving the code waiver for access to parking from 5th Avenue N. (a designated major pedestrian street) with no conditions.

d. The relationship of the project to the surrounding area has been considered in the design, siting, landscaping and screening of the facility.

The project has been reviewed by the Seattle Design Commission to address those issues.

RECOMMENDED DECISION - COUNCIL CONCEPT APPROVAL

DPD recommends approval of the proposed design with the requested modification and waivers as described in Table A.

RECOMMENDED CONDITIONS - COUNCIL CONCEPT APPROVAL

None.

ANALYSIS – SEPA

The environmental impacts have been analyzed in environmental documents prepared by Seattle Department of Parks and Recreation, which issued a Determination of Non-Significance for the project on December 10, 2003.

The Department is reviewing the environmental impacts of the proposal in order to impose further conditions if necessary. This proposal is reviewed under substantive SEPA authority. Disclosure of the potential impacts from this proposal was made in the environmental documents listed above. This information, supplemental information provided by the applicant and the experience of this agency with review of similar proposals form the basis of this analysis and conditioning.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority.

Short-term Impacts

The following temporary or construction-related impacts are expected: (1) temporary soil erosion; (2) decreased air quality due to increased dust and other suspended air particulates during excavation, filling and transport of materials to and from the site; (3) increased noise and vibration from construction operations and equipment; (4) slightly increased traffic and parking demand from construction personnel traveling to and from the work site.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Environmentally Critical Areas regulations provides rules to protect the public health, safety and welfare, promote safe development through the use of the best possible planning and engineering techniques, and prevents harm to the environment. The Street Use Ordinance requires debris to be removed from the street right of way, and regulates obstruction of the sidewalk. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures and life safety issues. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

It is anticipated that construction for this project will begin in August 2004 and take approximately 1 year to complete, so most short-term impacts are expected to be minor and of short duration. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, earth and noise warrant further discussion.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos or other hazardous substances during demolition. The applicant will perform an environmental site assessment to identify all hazardous materials requiring abatement and is required to obtain permits from PSCAA to ensure proper handling and disposal these materials. The permit standards and regulations administered by PSCAA will sufficiently mitigate any adverse impacts to air quality; therefore no further mitigation is recommended pursuant to SEPA 25.05.675A.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The surrounding property to the south and north are developed with medical service uses and may be impacted by construction noise. Property to the east is developed with a residential condominium and will be impacted by construction noise. To mitigate construction

noise the SEPA determination disclosed that demolition and construction activity will be limited to the hours between 7:30 am and 6:00 pm on all non-holiday weekdays. The environmental checklist further indicates that weekend work and/or work before 7:30 am or after 6:00 pm on weekdays will not be permitted unless emergency or safety concerns dictate. No further SEPA conditioning is necessary because work hours will be limited.

Earth

There will be substantial grading activity but very limited disturbance of earth in the steep slope areas. Most of the grading activity will take place on portions of the site that are already previously developed. A proposed stairway and path in the steep slope is proposed but will require minimal cut and fill.

The ECA Ordinance and Director's Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendation for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted geotechnical engineering studies prepared by Zipper Zeman Associates, Inc. dated October 17, 2003 and January 20, 2004. The report evaluates the soil and site conditions and provides recommendations for erosion and drainage controls, slope stability, grading and earthwork and foundation construction. Review of shoring, if any, for excavation and erosion control will be required prior to issuance of building permits. Additionally, Zipper Zeman Associates, Inc. has provided a minimum risk statement stating that, "...construction and development of the property will not increase the potential for soil movement..." and "...the risk of damage to the proposed development and to adjacent properties from the development due to soil instability will be minimal..." The ECA regulations will sufficiently mitigate any adverse earth impacts; therefore no conditioning is recommended.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of materials. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is recommended pursuant to SEPA policies.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including; increased pedestrian and vehicular traffic; increased parking demand; increased airborne emissions from additional traffic; increased ambient noise due to increased human activity; increased bulk and scale on the site, increased demand for public services and utilities, increased energy consumption, and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. The City Energy Code will require insulation for outside walls and

energy efficient windows. The Seattle Building Code provides for life safety issues in general. The Land Use Code controls building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts; therefore, traffic and parking impacts require further discussion.

Traffic & Parking

The Transpo Group, Inc. prepared a Traffic Impact Analysis dated December 2003. Trip generation for the proposed project was determined using rates published in the Trip Generation Manual (Institute of Transportation Engineers, 6th Edition, 1997) for libraries and recreational community centers (ITE land use #590 and #495 respectively). No trips generated from the park use are anticipated in that it is not expected to be a specific destination and would primarily serve patrons that are already on site or nearby. To avoid double counting vehicle volume from the proposed site, exiting traffic volumes in/out of the site were credited against the project trip generation calculations. It was determined that the proposed project would generate a net increase of approximately 440 trips per day and 48 trips during the PM peak hour.

The analysis studied traffic operations at three intersections; 5th Avenue NE and NE Northgate Way; 5th Avenue NE and NE 103rd Street; and 5th Avenue NE and Northgate Mall east driveway. The intersections were examined to estimate how the project would impact intersection Level of Service (LOS) in the year 2005. The analysis showed that LOS at 5th Avenue NE and NE Northgate Way and at 5th Avenue NE and NE 103rd Street are not expected to change with the proposed project. The intersections were examined in more detail because there are two configuration options available for the 5th Avenue NE and Northgate Mall east driveway intersection. The Northgate mall driveway and the project driveway could be aligned or they could be offset and function separately. The preferred option is for the driveways to align; however final negotiations with the property owners has not concluded. In both cases the intersection is estimated to function at LOS B or better.

The project is estimated to generate a peak parking demand for 66 spaces during a typical weekday scenario which would occur around 7 PM. The project will provide 66 spaces so the parking demand is expected to be met on typical days. Special events may occur that might generate a parking demand exceeding supply about 12 times a year. The events are expected to occur during the late evenings or weekends. Streets in the area are unlikely to absorb a significant amount of spillover parking in that there is expected to be a very limited supply of on-street spaces along 5th Avenue, if any at all. Patrons are not likely to park on the residential streets to the east in that the location of this parking is over 400 feet away, and there is a considerable topographic elevation difference which would make it inconvenient to walk. It is likely that during special events, attendees will "poach" parking in nearby parking lots which are abundant in the general vicinity. Because of the abundance of off-street parking in the area, it is likely that shared parking agreements could be obtained if spillover parking, as a consequence of special events, becomes a problem.

The additional vehicle trips generated by the project are not expected to adversely impact traffic operations; therefore no SEPA mitigation is recommended. Parking demand on a typical day

will be accommodated on site; therefore no SEPA mitigation is recommended for parking impacts.

Other Impacts

The other impacts such as but not limited to, increased ambient noise, increased pedestrian traffic and increased demand on public services and utilities are mitigated by codes or are not sufficiently adverse to warrant further mitigation by condition.

RECOMMENDED CONDITIONS - COUNCIL CONCEPT APPROVAL

None.

RECOMMENDED CONDITIONS - SEPA

None.

Signature: (signature on file) Date: February 23, 2004
Jess E. Harris, AICP, Land Use Planner
Department of Planning and Development